IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13453 of 2008
VIJAY KUMAR GUPTA
Versus
STATE OF BIHAR
---

3. 4.7.2008 Heard.

This is an application for anticipatory bail in Motihari Town P.S.Case No. 79/2007 filed under sections 409, 420 I.P.C.

Learned counsel for the petitioner submitted that though cognizance has been taken under sections 409, 420 I.P.C., no offence under the above sections is made out on the allegation. He further submitted that it is a case of non-repayment of loan for which the proper recourse for the Bank is to file money suit. The ingredient of criminal liability is absent here.

WEB COPY NOT OFFICIAL

Considering the above submissions, the petitioner, Vijay Kumar Gupta, is directed to surrender before the court below within four weeks from today and in that event or arrest by the police he shall be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in the aforementioned case, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Rekha Kumari,J.)

Surendra/